

R E M A R K S

Status of the Claims

Claims 1-19 are pending in this application. No claims have been canceled, added or amended. Applicants submit the following arguments in support of the patentability of the claims.

Rejection under 35 USC 103(a)

The Examiner maintains the rejection of claims 1-19 as obvious over U.S. patent 5,725,712 to Spain et al. in view of U.S. patent 5,829,804 to Saeki et al. Applicants traverse the rejection and respectfully request the withdrawal thereof. Applicants rely on and incorporate by reference the previous arguments submitted on March 30, 2004, January 28, 2004 and April 28, 2003.

The present invention is directed to a laminated film comprising: (i) a resin layer (A) containing an acrylic resin, and (ii) a resin layer (B) made of a resin composition, which composition consists essentially of: (a) 10 to 98% by weight of a propylene polymer, (b) 1 to 60% by weight of an inorganic filler, and (c) 1 to 60% by weight of a thermoplastic elastomer, provided that the sum of the components (a), (b) and (c) is 100% by weight.

Saeki '804 discloses automobile bumpers made of a special resin composition that has an excellent paintability. The composition comprises (A) a propylene-ethylene block copolymer, (B) a propylene homopolymer, (C1) an ethylene-propylene copolymer rubber (EPM), (C2) an ethylene-propylene-diene copolymer rubber (EPDM) and (D) talc. Saeki '804 also discloses undercoating the primer to the surface of the bumper made from the resin composition and painting the bumper. See column 7, line 58 and column 8, line 6. Saeki '804 only suggests incorporation of component (E) polyhydroxy polyolefin in a car bumper to improve the paintability of the bumper.

Saeki '804 fails to disclose a paint coat laminate having a backing sheet. Also, Saeki '804 does not suggest that the paintability of the bumper can be improved when component (E) is not used. Paintability in Saeki '804 as referenced at column 7, line 43 to column 8, line 6 refers to traditional painting and does not refer to dry paint transfer or injection cladding.

On the other hand, Spain '712 relates to dry paint transfer techniques. Spain '712 discloses a laminate comprising an external clear coat, a color coat and a thermoformable plastic backing sheet. The laminate is prepared by dry paint transfer-laminating techniques. The resulting laminate is thermoformed into a complex three dimensional shape and then bonded to a

plastic substrate material by injection cladding techniques.

This is explained in the Abstract of Spain '712.

The dry composite paint coating in Spain '712 comprises a clear coat, which may contain an acrylic resin and a color coat, which may also contain an acrylic resin. This dry composite paint coating is transferred to a backing sheet. See figure 7 of Spain '712. Spain '712 also discloses in Figure 12 a finished article comprising a clear coat, a color coat, a size coat, a backing sheet and a substrate. The plastic substrate material 24 can also contain filler material.

Spain '712 discloses the materials for forming the backing sheet and the structure of the backing sheet at column 16, line 55 to column 17, line 39. Please notice that no inorganic filler is included in the backing sheet. The backing sheet in Spain '712 is made from the same or substantially the same polymeric material as the substrate base of the finished article. Please note that this description only concerns the polymeric material and does not teach the incorporation of inorganic filler in the backing sheet.

Applicants submit that even if the polymeric material used for making the substrate contained inorganic filler in the Spain

'712 invention, this still does not teach or suggest incorporating inorganic filler in the backing sheet because the inorganic filler is not a polymeric material. Moreover, Spain '712 is not concerned with traditional painting as taught in Saeki '804.

As such, Applicants submit that there is no motivation to combine Saeki '804 with Spain '712, particularly since Saeki '804 teaches away from dry paint transfer and injection cladding. Moreover, Saeki '804 teaches away from using a composition that does not includes component (E) where one is concerned with the adhesiveness between the size coat and the color coat as disclosed in Spain '712. Applicants submit that even if Saeki's composition is utilized in Spain's invention, only the use of Saeki's composition as a substrate in Saeki's invention can be created. One of ordinary skill in the art would not be motivated to use Saeki's composition containing talc, which is an inorganic filler, for making the backing sheet disclosed in Spain '712, which does not teach the incorporation of inorganic fillers to the backing sheet.

Although the technology in Spain '712 and Saeki '804 is tangentially related, the relationship between the two is weak. There are several differences as detailed above. There is no backing sheet in Saeki '804. The backing sheet in Spain '712 does not contain talc. Moreover, Spain '712 is associated with

dry paint transfer and injection cladding while Saeki '804 is associated with traditional painting. The properties for a dry paint transfer or injection cladding as disclosed in Spain '712 are greatly different from the properties of paintability of the bumper as disclosed in Saeki '804.

Thus, one of ordinary skill in the art would be dissuaded from combining Spain '712 and Saeki '804 to arrive at the present invention. As such, Applicants submit that no prima facie case of obviousness has been established and the rejection should be withdrawn.

Conclusion

As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petitions for a three (3) month extension of time for filing a reply in connection with the present application. The required fee of \$980.00 is being filed concurrently with the Notice of Appeal.

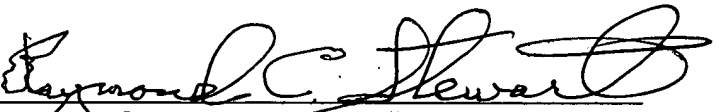
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below, to conduct an interview


in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s)